IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25501 of 2008

1. SANJEEV KUMAR RAY @ SANJAY RAY
Son of Raj Kishore Ray

2. BIKRAMA RAY,
Son of Late Dwarika Ray,
Both resident of Village
Magurahan, P.S. Mashrakh,
District Saran

----------Petitioners

Versus

STATE OF BIHAR ----------Opp. Party

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3. 24.10.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are accused for an offence under sections 392 and 323 of the Indian Penal Code in connection with Tr. No.3916/08 arising out of Complaint Case No.165/08.

The allegations against the petitioners are that they intercepted the informant and at the point of pistol they have snatched a sum of Rs.20,000/- which the informant was carrying after withdrawing the money from the Bank.

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It is submitted on behalf of the petitioners that the alleged date of occurrence i.e, 13th of January, 2008 was Sunday and as such the fact of withdrawing the money from the Bank is not true. It is further submitted that the parties are in litigating terms and series of cases are pending against them. It is also submitted that petitioner no.1 is a Teacher.

The learned APP submits that there is specific allegation against the petitioners of committing the alleged offences. It is further submitted that though 13th January, 2008 was a holiday, but that does not mean that the other mode of withdrawing the money

from the Bank was not available.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. The application is, accordingly, dismissed.

However, on surrender in case an application for regular bail is filed in the court below, the same would be considered on its own merits without being prejudiced by the present order.

PNM **(Shailesh Kumar Sinha, J.)**

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